

# **TITLE 410 INDIANA STATE DEPARTMENT OF HEALTH**

## **LSA Document #13-455**

### **SUMMARY/RESPONSE TO COMMENTS FROM THE PUBLIC HEARING**

The Indiana State Department of Health's (ISDH) Executive Board preliminarily adopted 410 IAC 12-1, Weights and Measures Rule, on November 13, 2013. ISDH published the proposed rule in the February 26, 2014, Indiana Register. A public hearing was held in Indianapolis on April 2, 2014, to solicit comments from the public on the proposed rule. No verbal comments were made during the public hearing:

The only comment came in the form of a letter dated July 23, 2013, from the Indiana Association of Inspectors of Weights and Measures, Inc.

The following is a summary of the comments received and ISDH's responses thereto:

*Comment by Indiana Association of Inspectors of Weights and Measures, Inc.:* The letter signed by Stephen J. Scharf, President, and Kristin Winningham, Legislative Committee Chair, expressed its support for the adoption of the 2013 versions of the National Institutes of Standards and Technology (NIST) Handbooks 44, 130, and 133.

*Response:* The Weights and Measures program appreciates the support of the Indiana Association of Inspectors of Weights and Measures, Inc. for the adoption of 2013 versions of the NIST Handbooks 44, 130, and 133. Their letter is dated July 23, 2013, and they reference the 2013 version of the NIST Handbooks. Our proposed rule amendments would adopt the most recent version of the NIST Handbooks, which is the 2014 version. From statements made in their letter about Indiana enforcing the most recent and same standards as enforced in other states, we believe that adopting the 2014 version is not inconsistent with their comments of support. At this point in time, it would be inconsistent with nationwide enforcement to adopt the 2013 version which is now an outdated standard. It is essential to the Indiana economy for Indiana businesses to be held to the same standards of weights and measures as businesses in other states.